

STAYED, TYPE I-FOIA

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:16-cv-02354-KBJ

CAUSE OF ACTION INSTITUTE v. INTERNAL REVENUE
 SERVICE

Assigned to: Judge Ketanji Brown Jackson
 Cause: 05:552 Freedom of Information Act

Date Filed: 12/01/2016
 Jury Demand: None
 Nature of Suit: 895 Freedom of
 Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff

CAUSE OF ACTION INSTITUTE

represented by **Ryan Patrick Mulvey**
 CAUSE OF ACTION INSTITUTE
 1875 Eye Street, NW
 Suite 800
 Washington, DC 20006
 (202) 499-4232
 Fax: (202) 330-5842
 Email: ryan.mulvey@causeofaction.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lee A. Steven
 CAUSE OF ACTION INSTITUTE
 1875 Eye Street, NW
 Suite 800
 Washington, DC 20006
 (202) 400-2723
 Fax: (202) 330-5842
 Email: lee.steven@causeofaction.org
ATTORNEY TO BE NOTICED

V.

Defendant

INTERNAL REVENUE SERVICE

represented by **Kieran O'Neill Carter**
 DEPARTMENT OF JUSTICE, TAX
 DIVISION
 Civil Trial Section, Eastern Region
 P.O. Box 227
 Washington, DC 20044
 (202) 616-1920
 Fax: (202) 514-6866
 Email: kieran.o.carter@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ryan O'Connor McMonagle
 U.S. DEPARTMENT OF JUSTICE
 Tax Division
 Ben Franklin Station
 P.O. Box 227
 Washington, DC 20044
 (202) 307-1355
 Fax: (202) 514-6866
 Email: ryan.mcmonagle@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
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| 12/01/2016 | <u>1</u> | COMPLAINT against INTERNAL REVENUE SERVICE (Filing fee \$ 400 receipt number 0090-4761393) filed by CAUSE OF ACTION INSTITUTE. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6, # <u>7</u> Exhibit Exhibit 7, # <u>8</u> Exhibit Exhibit 8, # <u>9</u> Exhibit Exhibit 9, # <u>10</u> Exhibit Exhibit 10, # <u>11</u> Exhibit Exhibit 11, # <u>12</u> Exhibit Exhibit 12, # <u>13</u> Exhibit Exhibit 13, # <u>14</u> Civil Cover Sheet, # <u>15</u> Summons IRS, # <u>16</u> Summons AG, # <u>17</u> Summons Clerk)(Steven, Lee) (Entered: 12/01/2016) |
| 12/01/2016 | <u>2</u> | Corporate Disclosure Statement by CAUSE OF ACTION INSTITUTE. (Steven, Lee) (Entered: 12/01/2016) |
| 12/01/2016 | <u>3</u> | NOTICE of Appearance by Ryan Patrick Mulvey on behalf of CAUSE OF ACTION INSTITUTE (Mulvey, Ryan) (Entered: 12/01/2016) |
| 12/02/2016 | | Case Assigned to Judge Ketanji Brown Jackson. (sb) (Entered: 12/02/2016) |
| 12/02/2016 | <u>4</u> | SUMMONS (3) Issued Electronically as to INTERNAL REVENUE SERVICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Form)(sb) (Entered: 12/02/2016) |
| 12/05/2016 | <u>5</u> | GENERAL ORDER AND GUIDELINES FOR CIVIL CASES BEFORE JUDGE KETANJI BROWN JACKSON. The Court will hold the parties and counsel responsible for following these directives, and parties and counsel should pay particular attention to the Courts instructions for briefing motions and filing exhibits. Failure to adhere to this Order may, when appropriate, result the imposition of sanctions and/or sua sponte denial of non-conforming motions. Signed by Judge Ketanji Brown Jackson on 12/5/2016. (lckbj1) (Entered: 12/05/2016) |
| 12/06/2016 | <u>6</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. INTERNAL REVENUE SERVICE served on 12/5/2016 (Steven, Lee) (Entered: 12/06/2016) |
| 12/06/2016 | <u>7</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/06/2016. (Steven, Lee) (Entered: 12/06/2016) |
| 12/06/2016 | <u>8</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/6/2016. Answer due for ALL FEDERAL DEFENDANTS by 1/5/2017. (Steven, Lee) (Entered: 12/06/2016) |
| 01/03/2017 | <u>9</u> | NOTICE of Appearance by Kieran O'Neill Carter on behalf of INTERNAL REVENUE SERVICE (Carter, Kieran) (Entered: 01/03/2017) |
| 01/04/2017 | <u>10</u> | MOTION for Extension of Time to File Answer <i>or other Responsive Pleading to Complaint</i> by INTERNAL REVENUE SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(Carter, Kieran) (Entered: 01/04/2017) |
| 01/09/2017 | | MINUTE ORDER granting, for good cause shown, <u>10</u> Consent Motion for Extension of Time to Answer. Defendant shall answer or otherwise respond to the complaint on or before 2/21/201. Any further requests for extensions of time must comply with <u>5</u> the Court's General Order and Guidelines for Civil Cases. Counsel is specifically directed to Section 5 of the Appendix to the General Order and Guidelines. Signed by Judge Ketanji Brown Jackson on 1/9/2017. (lckbj1,) (Entered: 01/09/2017) |
| 02/21/2017 | <u>11</u> | MOTION to Dismiss for Lack of Jurisdiction by INTERNAL REVENUE SERVICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Thomas A. Barthold, # <u>3</u> Declaration of Scott S. Landes, # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Index of Exhibits, # <u>7</u> Text of Proposed Order)(McMonagle, Ryan) (Entered: 02/21/2017) |
| 03/03/2017 | <u>12</u> | Memorandum in opposition to re <u>11</u> MOTION to Dismiss for Lack of Jurisdiction filed by CAUSE OF ACTION INSTITUTE. (Attachments: # <u>1</u> Declaration Mulvey, # <u>2</u> Text of Proposed Order)(Mulvey, Ryan) (Entered: 03/03/2017) |
| 03/10/2017 | <u>13</u> | REPLY to opposition to motion re <u>11</u> MOTION to Dismiss for Lack of Jurisdiction filed by INTERNAL REVENUE SERVICE. (Attachments: # <u>1</u> Declaration of Jonathan Davis)(McMonagle, Ryan) (Entered: 03/10/2017) |

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| 04/20/2017 | | MINUTE ORDER setting hearing on <u>11</u> Motion to Dismiss for 8/3/2017 at 10:30 AM in Courtroom 17 before Judge Ketanji Brown Jackson. Signed by Judge Ketanji Brown Jackson on 04/20/2017. (lckbj1) (Entered: 04/20/2017) |
| 06/07/2017 | | MINUTE ORDER. It is hereby ORDERED that the Hearing on <u>11</u> Motion to Dismiss currently set for 8/3/2017 at 10:30 AM is VACATED and RESET for 8/24/2017 at 10:30 AM in Courtroom 17 before Judge Ketanji Brown Jackson. Signed by Judge Ketanji Brown Jackson on 06/07/2017. (lckbj1) (Entered: 06/07/2017) |
| 08/24/2017 | | Minute Entry for proceedings held before Judge Ketanji Brown Jackson: Motion Hearing held on 8/24/2017 <u>11</u> MOTION to Dismiss for Lack of Jurisdiction. Oral arguments heard. Motion taken under advisement. (Court Reporter: Barbara DeVico) (kh) (Entered: 08/24/2017) |
| 08/25/2017 | <u>14</u> | MOTION to Permit <i>the Parties to File Supplemental Briefing</i> by INTERNAL REVENUE SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(Carter, Kieran) (Entered: 08/25/2017) |
| 08/28/2017 | | MINUTE ORDER granting <u>14</u> Consent Motion for Supplemental Briefing. It is hereby ORDERED that Defendant's supplemental brief is due on or before 9/15/2017, and Plaintiff's supplemental brief is due on or before 10/6/2017. Given the parties' request to submit supplemental briefing, and the Court's granting of that request, it is FURTHER ORDERED this case is ADMINISTRATIVELY STAYED until further Order of this Court. This administrative stay has no effect on the parties' supplemental briefing obligations or any deadlines in this matter. Signed by Judge Ketanji Brown Jackson on 08/28/2017. (lckbj1) (Entered: 08/28/2017) |
| 09/15/2017 | <u>15</u> | SUPPLEMENTAL MEMORANDUM to re <u>11</u> MOTION to Dismiss for Lack of Jurisdiction filed by INTERNAL REVENUE SERVICE. (Carter, Kieran) (Entered: 09/15/2017) |
| 10/04/2017 | <u>16</u> | SUPPLEMENTAL MEMORANDUM to re <u>12</u> Memorandum in Opposition to <i>Motion to Dismiss for Lack of Jurisdiction</i> filed by CAUSE OF ACTION INSTITUTE. (Mulvey, Ryan) (Entered: 10/04/2017) |
| 11/28/2017 | <u>17</u> | TRANSCRIPT OF PROCEEDINGS before Judge Ketanji Brown Jackson held on 8-24-17; Page Numbers: 1-91. Date of Issuance: 11-28-17. Court Reporter/Transcriber Barbara DeVico, Telephone number 202-354-3118, Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, PDF or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P> Redaction Request due 12/19/2017. Redacted Transcript Deadline set for 12/29/2017. Release of Transcript Restriction set for 2/26/2018.(DeVico, Barbara) (Entered: 11/28/2017) |
| 07/17/2019 | <u>18</u> | MEMORANDUM OPINION denying Defendant's <u>11</u> Motion to Dismiss. Signed by Judge Ketanji Brown Jackson on 7/17/2019. (lckbj2) (Entered: 07/17/2019) |
| 07/17/2019 | <u>19</u> | ORDER denying Defendant's <u>11</u> Motion to Dismiss. Signed by Judge Ketanji Brown Jackson on 7/17/2019. (lckbj2) (Entered: 07/17/2019) |